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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,)
13)
Plaintiff,)
14)
v.) 3:11-CV-510-RCJ (VPC)
15)
\$10,400.00 IN UNITED STATES CURRENCY,)
16)
Defendant.)

17 DEFAULT JUDGMENT OF FORFEITURE

18 The United States filed a verified Complaint for Forfeiture in Rem on July 15, 2011. Docket

19 #1. The Complaint (#1) alleges the defendant property:

- 20 a. was furnished or was intended to be furnished in exchange for controlled
21 substances in violation of Title II of the Controlled Substances Act, 21 U.S.C.
22 Section 801, *et seq.*, and is subject to forfeiture pursuant to 21 U.S.C. Section
23 881(a)(6);
- 24 b. is proceeds traceable to exchanges of controlled substances in violation of Title
25 II of the Controlled Substances Act, 21 U.S.C. Section 801, *et seq.*, and is
26 subject to forfeiture pursuant to 21 U.S.C. Section 881(a)(6);

1 c. was used or intended to be used to facilitate violations of Title II of the
2 Controlled Substances Act, 21 U.S.C. Section 801, *et seq.*, and is subject to
3 forfeiture pursuant to 21 U.S.C. Section 881(a)(6).

4 It appearing that process was fully issued in this action and returned according to law;

5 On September 19, 2011, the Court entered an Order for Summons and Warrant of Arrest in
6 Rem for the Property and Notice and issued the Summons and Warrant of Arrest in Rem. #3, #4.

7 Pursuant to the Order (#3), the Complaint (#1), the Order (#3), the Summons and Warrant
8 (#4), and the Notice of Complaint for Forfeiture (#7) were served on the defendant property, and the
9 Notice was published according to law. #7. All persons interested in the defendant property were
10 required to file their claims with the Clerk of the Court within 30 days of the publication of the Notice
11 or within 35 days of actual notice of this action, as applicable, followed by the filing of an answer to
12 the Complaint within 21 days after the filing of their respective claims. #1, #3, #4, #5, #7.

13 Public notice of the forfeiture action and arrest was given to all persons and entities by
14 publication on the official government website www.forfeiture.gov from September 21, 2011, through
15 October 20, 2011. #5, p. 2-4.

16 On October 4, 2011, the United States Marshals Service served the Complaint, the Order, the
17 Summons and Warrant of Arrest in Rem for the Property, and the Notice by executing them on the
18 defendant property. #7, p. 2-15.

19 On October 20, 2011, the Notice of Filing Proof of Publication Process was filed. #5.

20 On November 3, 2011, the United States filed a Settlement Agreement, Stipulation for Entry
21 of Judgment of Forfeiture as to Alexandre Bacon, and Order, regarding the \$10,400.00 in United
22 States Currency. Alexandre Bacon waived, among other things, service of process. #7.

23 On December 9, 2011, the Court entered the Order granting the Settlement Agreement,
24 Stipulation for Entry of Judgment of Forfeiture as to Alexandre Bacon, and Order. #8.

25 No other person or entity has filed a claim, answer, or responsive pleading within the time
26 permitted by 18 U.S.C. § 983(a)(4) and Fed. R. Civ. P. Supp. Rule G(4) and (5).

1 On December 14, 2011, the United States filed a Request for Entry of Default against the
2 defendant property and all persons or entities who claim an interest in the defendant property in the
3 above-entitled action. #9.

4 On December 15, 2011, the Clerk of the Court entered a Default against the defendant
5 property and all persons or entities who claim an interest in the defendant property in the above-
6 entitled action. #10.

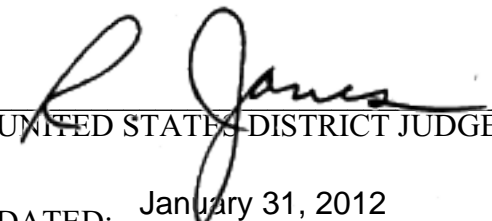
7 Alexandre Bacon is not in the military service within the purview of the Servicemembers
8 Civil Relief Act.

9 The allegations of the Complaint are sustained by the evidence and are adopted as findings
10 of fact. The Court concludes as a matter of law that the United States is entitled to the relief requested
11 in the Complaint.

12 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
13 Default Judgment of Forfeiture be entered against the defendant property and all persons or entities
14 who claim an interest in the defendant property in the above-entitled action.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said property be, and the
16 same is hereby forfeited to the United States of America, and no right, title, or interest in the property
17 shall exist in any other party.

18 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was reasonable
19 cause for the seizure or arrest of the defendant property.

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21 
22 UNITED STATES DISTRICT JUDGE
23 DATED: January 31, 2012
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